IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9743 of 1998

with

Civil Application No. 1391 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RANIP MUNICIPALITY

Versus

DISTRICT COLLECTOR

Appearance:

MR JAYANT PATEL for Petitioner

Mr.IM Pandya for Respondent No. 1

M/S TRIVEDI & GUPTA for Respondent No. 3

MR HARIN P RAVAL for Respondent No. 5

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 17/10/2000

ORAL JUDGEMENT

Learned advocate Mr. Jayant Patel appearing for the petitioner has produced on record copy of the letter dated 12.10.2000 of Ranip Nagarpalika which letter has been addressed to him. Said letter written by President, Vice President and the Chairman of the Executive Committee of the petitioner Nagarpalika. Alongwith the said letter, he has also produced affidavit for withdrawal of this petition made by all three namely President,Vice President and the Chairman of the Executive Committee of the petitioner Nagarpalika and has also produced on record copy of the resolution no. 3 dated 31.5.2000 and has sought leave for withdrawal of this petition. Aforesaid letter dated 12.10.2000 as well as the affidavit dated 17.10.2000 and the copy of the resolution no.3 produced by Mr. Patel are taken on record of this petition. Deponent of the affidavit dated 17.10.2000 namely Chhaganbhai G.Patel, President of the petitioner Nangarpalika,(2) Ramanbhai S. Panchal,VIce President of the petitioner Nagarpalika and(3) Ambalal N. Patel, Chairman of the Executive Committee of the petitioner Municipality are present before this Court.

Therefore, considering the letter dated 12.10.2000 as well as the affidavit for withdrawal and the copy of resolution referred to hereinabove and also the request made by Mr. Patel for withdrawal of this petition, permission to withdraw this petition is granted. This petition is disposed of as withdrawn. Rule is discharged. Interim relief, if any, shall stand vacated. There shall be no order as to costs.

Learned advocate Mr. Sheth appearing for the applicant in civil application no. 1391 of 2000 filed in this petition has produced on record letter dated 16th October, 2000 wherein he has been requested to withdraw this civil application. However, considering the withdrawal of the main petition itself, this civil application has become infructuous and the sameis required to be disposed of as such. Accordingly, civil applicationno. 1391 of 2000 is disposed of as having become infructuous. Rule issued in the said civil application is discharged. There shall be no order as to costs.

17.10.2000 (H.K. Rathod,J.)

Vyas